



**CALIFORNIA STATE  
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

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## **AGENDA WITH ANALYSIS**

**NOTICE OF MEETING  
STATE PUBLIC WORKS BOARD  
Monday, November 14, 2016**

**The STATE PUBLIC WORKS BOARD will meet on  
Monday, November 14, 2016, at 10:00 a.m. in  
Room 113,  
State Capitol, Sacramento, California.**

Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the Public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the Internet at: <http://www.spwb.ca.gov>.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Karessa Belben at (916) 445-9694 or e-mail to [karessa.belben@dof.ca.gov](mailto:karessa.belben@dof.ca.gov) five days prior to the meeting.

**STATE PUBLIC WORKS BOARD**

**Monday**

**November 14, 2016**

**10:00 a.m.**

**Room 113**

State Capitol

Sacramento, California

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## CONSENT ITEMS

### CONSENT ITEM—1

**AIR RESOURCES BOARD (3900)  
SOUTHERN CALIFORNIA CONSOLIDATION PROJECT  
RIVERSIDE COUNTY**

**Authority:** *Chapters 10 and 11, Statutes of 2015, Items 3900-301-0044, 3900-301-0115, and 3900-301-0421*

**Consider authorizing acquisition**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—1

Air Resources Board  
Southern California Consolidation Project  
Riverside County

Action Requested

**If approved, the requested action will authorize acquisition.**

Scope Description

**This project is within scope.** The requested action would authorize the no-cost acquisition of “the Property”, known as the approximately 18.8 acre site located on the northeastern border of a 100-acre site near the intersection of University Avenue and Iowa Avenue on the University of California, Riverside campus (UC Riverside). The Property is approximately three-quarters of a mile from the UC Riverside main campus and two miles from downtown Riverside. The project, located on the Property, consists of new facilities to consolidate and replace the Air Resources Board’s (ARB) Southern California administrative offices, and engine emission testing and laboratory from multiple leased and state-owned parcels into a new consolidated campus of approximately 300,000 gross square feet, plus parking.

Funding and Cost Verification

**This project is within cost.** Chapters 10 and 11, Statutes of 2015, Items 3900-301-0044, 3900-301-0115, and 3900-301-0421 appropriated \$5,893,000 for the acquisition and performance criteria phases for this project. In May 2016 the performance criteria phase was augmented by \$472,000 to pursue a site-specific Zero Net Energy (ZNE) analysis and to incorporate the goal of a ZNE facility in the project’s Performance Criteria.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on May 23, 2016 and the 35-day statute of limitations expired without challenge.

Condition of Property

The Department of General Services (DGS) staff conducted a site visit in April 2016. The Property is located approximately 1-1/3 mile southeast of the Riverside 91 Freeway and 0.7 miles west of the UC Riverside main campus. Land uses to the north include residential uses and to the west include commercial uses. The Property consists of relatively flat topography, being the same elevation as the surrounding improved roads. The Property is part of an agricultural tract owned

and operated by the UC Riverside as part of the University's Citrus Research and Agricultural Experiment Station. Presently, the Property consists of rows of mature orange and avocado trees with a salinity research station in the southeast portion of the property. Numerous water pipe lines for agricultural purposes as well as distribution electric overhead facilities exist on the Property. The Property is located in Flood Hazard Zone X, outside the 500-year floodplain.

A Phase I Environmental Site Assessment (ESA) report dated February 4, 2016 was prepared and included limited soil sampling for approximately 30 acres of agricultural land, which included the Property. The Phase I ESA concluded additional and more comprehensive sampling is required to definitively assess the presence, distribution, and concentrations of residual pesticides.

A Phase II ESA report, dated May 2, 2016, further characterized the Property. The Phase II ESA investigation included collecting and analyzing soil samples from 40 locations throughout the site. The Phase II ESA investigation detected residual pesticide and arsenic associated with historical agricultural use of the Property. However, the levels detected were below federal screening levels in the case of pesticides and below natural background levels typical of southern California in the case of arsenic. As such, no further investigation or remediation is recommended at this time.

#### Project Acquisition Agreement

As identified in a Restrictive Covenant (Exhibit H to the Property Acquisition Agreement (PAA)), to be recorded against the Property, the transfer of the subject site is conditioned upon the Property being used for (i) the development, construction, and operation of an emissions testing laboratory facility, including associated administrative uses and other programmatic uses consistent with ARB's mission or the Regents' of the University of California (Regents) mission and/or (ii) other compatible uses approved by the Regents.

In the event of a violation of the use restriction in the Restrictive Covenant, the Regents have the power to terminate the state's fee simple interest in the Property and reenter and take possession of the Property, related facilities, and associated improvements. Regents agree that this use restriction shall have no force or effect during any time during which any lease revenue or similar type bonds that finance the Project are outstanding. The Board views this use restriction as a low and acceptable risk, as the facility is so specialized and the restrictive use language is so broad. The State Public Works Board (Board) recommends moving forward because the property is being provided at no cost and the potential new use, per the Restrictive Covenant, would continue to be in the state's best interest.

In addition, per the Restrictive Covenant, the state is required to commence development of the project within thirty (30) months following recordation of the grant deed. Commencement of development will be deemed satisfied upon enactment of a design-build appropriation for the Project. Unless the commencement date restriction is extended by mutual written agreement by the parties, the Regents may reenter and take possession of the Project if the state does not commence development in this time period.

The PAA does not include the state's standard indemnification language. The DGS site visit and review of the Phase I and II ESA did not identify any conditions that would likely pose exceptional risk to the state. Further, the lack of standard indemnification language does not relieve the current or previous owners of liability in the event the current or previous owners are responsible for hazardous materials or contamination discovered on the Property following the state's acquisition.

The state agrees to cooperate with the Regents and to grant necessary easements, provided that they do not unreasonably interfere with the state's use of the property, or financing of the Project.

#### Project Schedule

The anticipated close of escrow is December 2016.

Other:

- Board staff approved site selection on June 27, 2016, pursuant to authority delegated by the Board.
- The proposed site meets the physical and location requirements of ARB.
- The proposed site is vacant and unimproved.
- There are no historic issues and no implied dedication associated with the Property.
- There is no tenant relocation assistance involved with the Project.
- ARB and UC are not aware of any lawsuits pending concerning the Property. The PAA will require delivery of title to the Property free and clear of any mortgages or liens.
- The proposed acquisition is consistent with the state's planning priorities in accordance with Section 65041 et. seq., of the Government Code. State ownership of this property will allow ARB to better serve and continue to protect the state's properties and natural resources.

**Staff Recommendation: Authorize acquisition.**

## CONSENT ITEMS

### CONSENT ITEM—2

**CALIFORNIA HIGHWAY PATROL (2720)**

**VENTURA: AREA OFFICE REPLACEMENT – JOHNSON DRIVE SITE**

**VENTURA COUNTY**

DGS Parcel No. 10870

*Authority: Chapter 318, Statutes of 2016, Item 2720-301-0044(4)*

**Consider authorizing acquisition**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—2

California Highway Patrol

Ventura Area Office Replacement – Johnson Drive Site

Ventura County

# ITEM PULLED

## CONSENT ITEMS

### CONSENT ITEM—3

**CALIFORNIA HIGHWAY PATROL (2720)**  
**SAN BERNARDINO: AREA OFFICE REPLACEMENT – BRYN MAWR SITE**  
**SAN BERNARDINO COUNTY**  
DGS Parcel No. 10871

*Authority: Chapter 318, Statutes of 2016, Item 2720-301-0044(5)*

**Consider authorizing site selection**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—3

California Highway Patrol  
San Bernardino: Area Office Replacement – Bryn Mawr Site  
San Bernardino County

Action requested

**If approved, the request will authorize site selection.**

Scope Description

**This project is within scope.** This request will authorize the California Highway Patrol (CHP) to pursue the purchase of approximately 5.3 acres of land in the City of Loma Linda, San Bernardino County, for the construction of a replacement area office. The parcel is located northwest of the intersection of Redlands Boulevard and Bryn Mawr Avenue (the Property). The replacement area office will include an office building, an auto service building with car wash bay, a fuel island, a property storage building, a radio antenna tower, generator, and gas tanks.

Funding and Cost Verification

**This project is within cost.** Item 2720-301-0044(5) of the Budget Act of 2016, as amended by Chapter 318, Statutes of 2016, provides \$5,369,000 Motor Vehicle Account (MVA) for the acquisition and performance criteria phases of this project.

CEQA

A Notice of Exemption for acquisition was filed with the State Clearinghouse on June 9, 2016, and the 35-day statute of limitations expired without challenge.

Condition of Property Statement

In September 2014, the Department of General Services (DGS) visited the Property. The parcel is a graded, undeveloped lot situated in a primarily commercial/light industrial block approximately 0.15 mile south of Interstate 10, 3.4 miles east of Interstate 215, and 1.5 miles southeast of the Santa Ana River. Land use to the north and west is primarily commercial/light industrial (Corporate Business Center), to the east primarily residential (Redlands West Townhomes), and to the south primarily medical (VA Loma Linda Ambulatory Care Center – under construction). The San Bernardino Airport is located approximately 2 miles to the north.

## **Phase I Environmental Site Assessment (ESA) Summary**

A Phase I ESA was completed in June 2016 and reviewed by DGS-Environmental Services Unit (ESU) staff.

Available records indicate that the property was developed for agricultural use sometime prior to 1938 and has been vacant since the late 1980s. Having never been further developed, there are no indications or historical records of former buildings, underground or aboveground storage tanks, wastewater clarifiers, sumps, disposal pits, or other potential sources of subsurface contamination.

Based on government records database searches, review of the State Water Resources Control Board website GeoTracker, and the Department of Toxic Substances Control website EnviroStor, no records of past subsurface contamination were found concerning the site or adjoining properties.

California Division of Oil, Gas, and Geothermal Resources records available online show that the site is not located within the administrative boundary of an oil or gas field and the nearest geothermal well is located too far away to have impacted the subject site.

Based on the subject Phase I ESA, one Recognized Environmental Condition (REC) was identified at the site, as follows:

**REC 1 – Site-Wide Residual Pesticides.** While the site has been fallow for more than 25 years, it does not appear that the site was subject to significant grading or had imported fill material brought onsite in preparation for development. As such, it is possible that near-surface soil at and around the site may contain residual Organochlorine pesticides (OCPs). This is a fairly standard issue at sites throughout California. A limited Phase II Site Investigation will be conducted to assess presence of residual pesticides. If found, typical mitigation would be to define the extent of the contaminated soil, remove the soil, and haul to a landfill. The extent of pesticide contamination at this site is expected to be minimal, if any, and associated cost to mitigation would likely be less than \$50,000.

### **Other:**

- The purchase price of the Property does not exceed the estimated fair market value of the property as determined by a DGS approved appraisal.
- The site meets the requirements of CHP.
- An approximately 80 foot electrical pole line easement for Southern California Edison (SCE) exists in the northeast corner of the Property. DGS is currently working with SCE to clear or relocate the easement prior to acquisition. Due to the fact that no pole lines have been installed to date in the easement area, it is anticipated that SCE will be amenable to a quitclaim or relocation of the easement.
- There are no historic issues and no implied dedication associated with these properties.
- No relocation assistance is required.
- DGS is not aware of any lawsuits pending concerning the properties. The Property Acquisition Agreement requires delivery of title to the property free and clear of any mortgages or liens.
- The proposed project location is consistent with the state's planning priorities in accordance with Government Code Section 65041 et seq, as the site selected supports efficient development patterns near existing developed areas with adequate transportation and other essential utilities and services

**Staff Recommendation:     Approve site selection.**



## ACTION ITEMS

### ACTION ITEM—1

**HIGH SPEED RAIL AUTHORITY (2665)  
INITIAL OPERATING SEGMENT, SECTION 1  
MADERA, FRESNO AND KERN COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)  
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)  
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)  
Section 39719(b)(2) of the Health and Safety Code  
Section 39719.1 of the Health and Safety Code  
Section 15854 of the Government Code*

**Consider rescinding the following Resolutions of Necessity (RONs) authorizing the use of eminent domain to acquire the following properties:**

- 1) RON 2016-0022, adopted April 14, 2016  
Daniel Property (Kern County)  
Authority Parcel Number: FB-15-0312-1  
Assessor Parcel Number: 072-170-29**
- 2) RON 2014-0320, adopted October 14, 2016  
Center Point Property (Madera County)  
Authority Parcel Numbers: MF-20-0921-1, MF-20-0922-1, MF-20-0922-2, MF-20-0922-3,  
MF-20-0923-1, MF-20-0923-2, MF-20-0925-1, MF-20-0929-1, MF-20-0929-2,  
MF-20-0929-01-01, MF-20-1043-1, MF-20-1044-1, MF-20-1044-2, MF-20-1045-1, and  
MF-20-1045-2  
Assessor Parcel Numbers: 047-132-010, 047-133-015, 047-133-016, 047-132-001,  
047-132-002, 047-132-003, 047-132-004, 047-132-005, 047-132-008, 047-132-009,  
047-132-011, 047-132-012, 047-132-013, 047-132-017, 047-132-018, 047-132-019,  
047-131-028, 047-131-029, 047-131-030, 047-131-032, 047-131-033, 047-131-034,  
047-131-035, 047-131-036 and 047-131-031 (formerly designated as 047-130-030,  
047-130-029, 047-130-028, 047-130-027, and 047-130-026)**
- 3) RON 2014-0085, adopted January 12, 2015  
Parallamo, LLC (Fresno County)  
Authority Parcel Number: FB-10-0170-1  
Assessor Parcel Number: 467-050-28S**

## ACTION ITEMS

### STAFF ANALYSIS ITEM—1

High Speed Rail Authority  
Initial Operating Segment, Section 1  
Madera, Fresno and Kern Counties

#### Action Requested

**If approved, the requested action would rescind three RONS authorizing the use of eminent domain to acquire the Daniel and Center Point Properties.**

*Daniel Property:* On April 14, 2016, the Board adopted Resolution of Necessity 2016-0022, authorizing the use of eminent domain to acquire a portion of the Daniel property. Since that time, there have been design changes and the property is no longer necessary for the project.

*Center Point Property:* On October 14, 2016, the Board adopted Resolution of Necessity 2014-0320, authorizing the use of eminent domain to acquire a portion of the Center Point property. Because of a last-minute room change, legal counsel for the Center Point Property was unable to attend the meeting. As a courtesy and to ensure counsel can present information to the Board, the RON should be rescinded.

*Parallamo, LLC Property:* On January 12, 2015, the Board adopted Resolution of Necessity 2014-0085, authorizing the use of eminent domain to acquire a portion of the Parallamo, LLC property. Since that time, there have been design changes that altered the portion of this property needed for the project. As a result of these design changes, the existing RON should be rescinded.

**Staff Recommendation: Approve the rescission of three RONS authorizing the use of eminent domain to acquire the Daniel and Center Point Properties.**

## ACTION ITEMS

### ACTION ITEM—2

**HIGH SPEED RAIL AUTHORITY (2665)  
INITIAL OPERATING SEGMENT, SECTION 1  
MADERA, FRESNO, KINGS AND TULARE COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)  
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)  
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)  
Section 39719(b)(2) of the Health and Safety Code  
Section 39719.1 of the Health and Safety Code  
Section 15854 of the Government Code*

**Consider the adoption of Resolutions of Necessity authorizing the use of eminent domain to acquire the following properties:**

- 1. Center Point Property (Madera County)**  
**Authority Parcel Numbers:** MF-20-0921-1, MF-20-0922-1, MF-20-0922-2, MF-20-0922-3, MF-20-0923-1, MF-20-0923-2, MF-20-0925-1, MF-20-0929-1, MF-20-0929-2, MF-20-0929-01-01, MF-20-1043-1, MF-20-1044-1, MF-20-1044-2, MF-20-1045-1, and MF-20-1045-2  
**Assessor Parcel Numbers:** 047-132-010, 047-133-015, 047-133-016, 047-132-001, 047-132-002, 047-132-003, 047-132-004, 047-132-005, 047-132-008, 047-132-009, 047-132-011, 047-132-012, 047-132-013, 047-132-017, 047-132-018, 047-132-019, 047-131-028, 047-131-029, 047-131-030, 047-131-032, 047-131-033, 047-131-034, 047-131-035, 047-131-036 and 047-131-031 (formerly designated as 047-130-030, 047-130-029, 047-130-028, 047-130-027, and 047-130-026)
- 2. Mirelez Property (Madera County)**  
**Authority Parcel Numbers:** MF-20-1196-1, MF-20-1196-2, and MF-20-1196-02-01  
**Assessor Parcel Number:** 037-010-001
- 3. Weir Floway Property (Fresno County)**  
**Authority Parcel Numbers:** FB-10-0220-1 and FB-10-0220-2  
**Assessor Parcel Number:** 479-072-26S
- 4. Bazerkanian Property (Fresno County)**  
**Authority Parcel Number:** FB-10-0856-1  
**Assessor Parcel Number:** 467-040-06
- 5. Gonzales Property (Fresno County)**  
**Authority Parcel Numbers:** FB-10-0387-1, FB-10-0387-2, and FB-10-0387-3  
**Assessor Parcel Number:** 042-160-17s
- 6. Critchley Property (Fresno County)**  
**Authority Parcel Numbers:** FB-10-0724-1, FB-10-0724-2, and FB-10-0724-3  
**Assessor Parcel Number:** 385-200-19

7. **Gibbs Property (Fresno County)**  
Authority Parcel Numbers: FB-10-0867-1, FB-10-0867-2, and FB-10-0867-3  
Assessor Parcel Number: 444-241-24
8. **2113 E Manning Avenue Property (Fresno County)**  
Authority Parcel Numbers: FB-10-0703-1, and FB-10-0703-2  
Assessor Parcel Number: 338-170-17
9. **Parallamo, LLC Property (Fresno County)**  
Authority Parcel Numbers: FB-10-0170-1, FB-10-0170-2, FB-10-0170-3, and FB-10-0170-4  
Assessor Parcel Number: 467-050-28s
10. **DeSantis Property (Fresno County)**  
Authority Parcel Numbers: FB-10-0868-1 and FB-10-0868-2  
Assessor Parcel Number: 450-031-23
11. **Brooks Property (Kings County)**  
Authority Parcel Numbers: FB-16-0235-1 and FB-16-0235-2  
Assessor Parcel Number: 028-205-007
12. **Liberty Farms Property (Madera County)**  
Authority Parcel Numbers: MF-20-1052-1 and MF-20-1052-2 (formerly MF-20-0913-3 and MF-20-0913-4)  
Assessor Parcel Number: 047-320-009
13. **Congdon Property (Tulare County)**  
Authority Parcel Number: FB-54-0652-1  
Assessor Parcel Number: 313-040-003
14. **Oliveira Property (Kings County)**  
Authority Parcel Numbers: FB-16-0026-1, FB-16-0027-1, and FB-16-0028-1  
Assessor Parcel Numbers: 002-150-027, 002-150-0043, and 002-150-050

## ACTION ITEMS

### STAFF ANALYSIS ITEM—2

High Speed Rail Authority  
Initial Operating Segment, Section 1  
Madera, Fresno, Kings and Tulare Counties

#### Action Requested

**Adopt 14 Resolutions of Necessity authorizing the use of eminent domain to acquire properties in Madera, Fresno, Kings and Tulare counties, totaling approximately 52.2 acres.**

#### Scope Description

**This project is within scope.** The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting from Madera and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno and relocation of railroad lines, the construction of bridges over the San Joaquin and Fresno Rivers as well as other waterways, several dozen grade separations, multiple viaducts and trenches, and the acquisition of approximately 1,400 parcels. The IOS-1 is the first construction phase of the High Speed Train

System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

#### Funding and Cost Verification

**This project is within cost.** Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1. In addition, Health and Safety Code section 39719 (b)(2) appropriates 25 percent of the annual proceeds of the Greenhouse Gas Reduction Fund for the Phase I Blended System and Health and Safety Code section 39719.1 authorizes repayment of a \$400 million General Fund loan from the Greenhouse Gas Reduction Fund for the Phase I Blended System. The IOS-1 is a component of the Phase I Blended System.

#### Background

To adopt a Resolution of Necessity that is required to initiate the eminent domain proceedings, the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record or to the heirs of the owner. For the Congdon property, the offer has been made to some but not all of the owners of record because some of the owners cannot be located with reasonable diligence.

In 2008 the voters of California approved Proposition 1a, authorizing monies from the High-Speed Passenger Train Bond fund in support of this Project. In 2009 and 2010 the federal government approved funds in support of the portion of this Project extending from San Francisco to Anaheim, and in 2012 and 2014, through Chapter 152, Statutes of 2012 and Chapter 25, Statutes of 2014, the Legislature appropriated funds for the acquisition and design-build phases of the IOS-1 of the Project, extending from Madera to just north of Bakersfield.

The Property Acquisition Law, commencing with section 15850 of the Government Code, authorizes the Board to select and acquire in the name of the State of California (State) with the consent of the State agency concerned, the fee or any lesser right or interest in any real property necessary for any State purpose or function. This law also authorizes the Board to acquire property by condemnation, in the manner provided for in Title 7 (commencing at section 1230.010) of Part 3 of the Code of Civil Procedure.

Each of the properties is within the right of way for IOS-1 and was site selected at previous Board meetings. The site selections took place after an environmental review process where it was determined that any alternative alignment would include the selected parcels, or where a preferred alignment had already been approved by both the High Speed Rail Authority Board and the Federal Railroad Administration. Acquisition of these properties will allow the High Speed Rail Authority to move forward with construction of the HSTS.

Between February 2016 and August 2016, the various owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. Negotiations to acquire the properties are continuing; however, in order to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required.

On October 25, 2016 and October 26, 2016, Notices of Intent to adopt a Resolution of Necessity were mailed to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Center Point Property (Madera County)

Authority Parcel Numbers: MF-20-0921-1, MF-20-0922-1, MF-20-0922-2, MF-20-0922-3, MF-20-0923-1, MF-20-0923-2, MF-20-0925-1, MF-20-0929-1, MF-20-0929-2, MF-20-0929-01-01, MF-20-1043-1, MF-20-1044-1, MF-20-1044-2, MF-20-1045-1, and MF-20-1045-2

Assessor Parcel Numbers: 047-132-010, 047-133-015, 047-133-016, 047-132-001, 047-132-002, 047-132-003, 047-132-004, 047-132-005, 047-132-008, 047-132-009, 047-132-011, 047-132-012, 047-132-013, 047-132-017, 047-132-018, 047-132-019, 047-131-028, 047-131-029, 047-131-030, 047-131-032, 047-131-033, 047-131-034, 047-131-035, 047-131-036 and 047-131-031 (formerly designated as 047-130-030, 047-130-029, 047-130-028, 047-130-027, and 047-130-026)

Partial Acquisition: Approximately 19.32 acres total (14.99 acres in fee and 4.33 acres in easement)

This property will be needed for the construction of the HSTS between Avenue 12 and Avenue 11 and for the construction of the Avenue 11 grade separation.

2. Mirelez Property (Madera County)

Authority Parcel Numbers: MF-20-1196-1, MF-20-1196-2, and MF-20-1196-02-01

Assessor Parcel Number: 037-010-001

Full Acquisition: Approximately 9.46 acres in fee

This property will be needed for the construction of the HSTS between Road 27 and Avenue 17 and for the construction of the Road 27 grade separation.

3. Weir Floway Property (Fresno County)

Authority Parcel Numbers: FB-10-0220-1 and FB-10-0220-2

Assessor Parcel Number: 479-072-26S

Partial Acquisition: Approximately 2.85 acres total (2.15 acres in fee and 0.70 acre in easement)

This property will be needed for the construction of the HSTS between E. Church Avenue and E. Jensen Avenue.

4. Bazerkanian Property (Fresno County)

Authority Parcel Number: FB-10-0856-1

Assessor Parcel Number: 467-040-06

Full Acquisition: Approximately 0.23 acre in fee

This property will be needed for the HSTS to construct a permanent retention basin between Kern Street and Mono Street.

5. Gonzales Property (Fresno County)

Authority Parcel Numbers: FB-10-0387-1, FB-10-0387-2, and FB-10-0387-3

Assessor Parcel Number: 042-160-17s

Partial Acquisition: Approximately 5.66 acres total (5.43 acres in fee and 0.23 acre in easement)

This property will be needed for the construction of the HSTS between E. Floral Avenue and E. Rose Avenue.

6. Critchley Property (Fresno County)

Authority Parcel Numbers: FB-10-0724-1, FB-10-0724-2, and FB-10-0724-3

Assessor Parcel Number: 385-200-19

Partial Acquisition: Approximately 2.35 acres total (2.08 acres in fee and 0.27 acre in easement)

This property will be needed for the construction of the HSTS between E. Conejo Avenue and S. Peach Avenue.

7. Gibbs Property (Fresno County)

Authority Parcel Numbers: FB-10-0867-1, FB-10-0867-2, and FB-10-0867-3

Assessor Parcel Number: 444-241-24

Partial Acquisition: Approximately 0.02 acre total (<0.01 acre in fee and 0.02 acre in easement)

This property will be needed for the construction of the W. McKinley Avenue grade separation.

8. 2113 E Manning Avenue Property (Fresno County)

Authority Parcel Numbers: FB-10-0703-1, and FB-10-0703-2

Assessor Parcel Number: 338-170-17

Partial Acquisition: Approximately 0.06 acre total (0.02 acre in fee and 0.04 acre in easement)

This property will be needed for the construction of the E. Manning Avenue grade separation.

9. Parallamo, LLC Property (Fresno County)

Authority Parcel Numbers: FB-10-0170-1, FB-10-0170-2, FB-10-0170-3, and FB-10-0170-4

Assessor Parcel Number: 467-050-28s

Partial Acquisition: Approximately 0.25 acre total (0.02 acre in fee and 0.23 acre in easement)

This property will be needed for the construction of the Ventura Avenue grade separation.

10. DeSantis Property (Fresno County)

Authority Parcel Numbers: FB-10-0868-1 and FB-10-0868-2

Assessor Parcel Number: 450-031-23

Partial Acquisition: Approximately 0.03 acre total (<0.01 acre in fee and 0.03 acre in easement)

This property will be needed for the construction of the W. McKinley Avenue grade separation.

11. Brooks Property (Kings County)

Authority Parcel Numbers: FB-16-0235-1 and FB-16-0235-2

Assessor Parcel Number: 028-205-007

Partial Acquisition: Approximately 3.57 acres total (3.49 acres in fee and 0.08 acre in easement)

This property will be needed for the construction of the Kansas Avenue grade separation.

12. Liberty Farms Property (Madera County)

Authority Parcel Numbers: MF-20-1052-1 and MF-20-1052-2 (formerly MF-20-0913-3 and MF-20-0913-4)

Assessor Parcel Number: 047-320-009

Partial Acquisition: Approximately 0.87 acre in easement

This property will be needed for the construction of an access easement for neighboring parcels that would be left landlocked by the Avenue 10 grade separation.

13. Congdon Property (Tulare County)

Authority Parcel Number: FB-54-0652-1

Assessor Parcel Number: 313-040-003

Partial Acquisition: Approximately 0.01 acre in fee

This property will be needed for the construction of the West Sierra Avenue/Avenue 56 grade separation.

14. Oliveira Property (Kings County)

Authority Parcel Numbers: FB-16-0026-1, FB-16-0027-1, and FB-16-0028-1

Assessor Parcel Numbers: 002-150-027, 002-150-0043, and 002-150-050

Partial Acquisition: Approximately 7.49 acres in fee.

This property will be needed for the construction of the HSTS between Riverside Ditch of the Kings River and Dover Avenue.

**Staff Recommendation:**      **Adopt 14 Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 52.2 acres.**



## ACTION ITEMS

### ACTION ITEM—3

#### CALIFORNIA HIGH SPEED RAIL AUTHORITY (2665) VARIOUS COUNTIES

Consider approving the addition of a new clause to the Optional Right of Way Clauses in Exhibit B of the Resolution previously adopted by the State Public Works Board at its November 6, 2015 meeting.

## ACTION ITEMS

### STAFF ANALYSIS ITEM—3

High Speed Rail Authority  
Various Counties

#### Action Requested

**If approved, the requested action would approve the addition of a new clause to the Optional Right of Way Clauses in Exhibit B authorized by Resolution at the November 6, 2015 Public Works Board Meeting.**

The State Public Works Board (Board) is required by law to perform various functions or approvals in relation to its capital outlay oversight responsibilities and bond issuance obligations. In an effort to improve the efficiency of these processes, the Board has approved the delegation of certain functions and approvals to its duly appointed Executive Director and Deputy Directors.

At its November 6, 2012 meeting, the Board approved the adoption of a resolution approving a form acquisition agreement and the delegation of authority to execute certain contracts for the acquisition of property for the High Speed Rail Project. In addition, at its April 15, 2013 meeting, the Board approved a form of Agreement for Possession and Use, Optional Clauses, and Memorandum of Agreement for Possession and Use and the delegation of authority to execute agreements and memoranda for the possession and use of property for the California High Speed Rail Project. On November 6, 2015, the Board rescinded both of those resolutions and approved new resolutions providing for additional delegations, updating contract language, and adding new contract forms as necessary. This request would update Exhibit B to those resolutions to include the following new optional clause:

- Right-Of-Way Contract - Revised Exhibit B, Optional Clauses: Acquisition of parcels outside of the footprint evaluated in the 2012 Merced-Fresno or 2014 Fresno-Bakersfield EIRs, and environmental reexamination has not been completed by the High Speed Rail Authority and the Federal Railroad Administration.

The proposed clause would only be used where the design builder proposes design changes necessitating the acquisition of modified or new parcels. In cases where the change is minor and still within parcels that have been previously site-selected, no additional site selections would be required; further site selections would only be needed for new parcels that are affected by the proposed change. In all cases, acquisition would not occur until environmental reevaluation is complete.

**Staff Recommendation: Approve the addition of a new clause to the Optional Right of Way Clauses in Exhibit B authorized by Resolution at the November 6, 2015 Public Works Board Meeting.**

## **OTHER BUSINESS**

1. **The Annual Financial Report from Gilbert Associates Inc. for the Public Buildings Construction Fund**

**Recognize the 2016 State Public Works Board Financial Statements**

## **REPORTABLES**

**TO BE PRESENTED AT MEETING**